

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

THOMAS JOSEPH FERGUSSON, )  
)  
Petitioner, )  
)  
v. )  
)  
SHARON BLACKLETTER, )  
)  
Respondent. )  
\_\_\_\_\_ )

Civil Case No. 06-1585-HU

O R D E R

Marc Sussman  
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Attorney for Petitioner

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Attorney General  
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KING, Judge:

The Honorable Dennis Hubel, United States Magistrate Judge, filed Findings and Recommendation on January 21, 2009. Plaintiff filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Hubel.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Hubel dated January 21, 2009 in its entirety.

IT IS HEREBY ORDERED that Plaintiff's Amended Habeas Petition (#24) is DENIED. This case is dismissed with prejudice.

DATED this 8<sup>th</sup> day of April, 2009.

/s/ Garr M. King

GARR M. KING  
United States District Judge